

## REMARKS

Favorable reconsideration is respectfully requested in view of the previous amendments and following remarks.

As a first point, it is requested that the Examiner consider the references listed on Form PTO-1449 accompanying the First Information Disclosure Statement. These references were cited in the International Search Report and provided in the national stage filing. The Official Action provides no explanation for why the Examiner did not consider the references.

Claims 8 and 9 are amended as suggested by the Examiner. Withdrawal of the claim objections is therefore respectfully requested.

The claims are also amended to address the rejections based on indefiniteness grounds. Withdrawal of the rejections of Claims 1-9 under 35 U.S.C. § 112, second paragraph, is therefore respectfully requested.

The amendment to Claim 7 clarifies that the claim is directed to a method. Withdrawal of the rejection of Claim 7 under 35 U.S.C. § 101 is therefore respectfully requested.

Before turning to the prior art rejections, a general discussion of the subject matter disclosed here is provided. Generally speaking, the subject matter of issue here involves methods by which a client (or requestor) can place an order for a desired commodity (liquid food) with a packer via the Internet. The packaged commodity can then be sold or delivered by the client (requestor) as desired). Thus, a client's request is transmitted from the client's computer 21 to a server computer 22 via the Internet. The request specifies a liquid food and a packaging design, i.e., wrapping/filling information. The server computer 22 transmits the wrapping/filling

information to a wrapping/filling device 23, which fills and wraps a vessel in accordance with the wrapping/filling information. The wrapping/filling device forms web-type wrapping material having the selected packaging design into a tubular shape by molding rolls and a longitudinal sealing device, fills the selected liquid food content into the tubular-shaped wrapping material by a filling pipe, transversely seals the filled wrapping material by a transversely sealing device, and cuts the sealed filled wrapping material, so as to form a wrapping vessel corresponding to the wrapping/filling information.

Claim 1 is rejected based on an Assemblies Unlimited web page in view of the Garwood and Schmitt patents.

As filed, Claim 1 recites a wrapping/filling method, comprising connecting a computer of a client having a request condition to a server computer having a wrapping/filling condition database via the Internet, when a client requests wrapping/filling of a commodity, obtaining wrapping/filling information of the client, which is appropriate for the request condition and the wrapping/filling condition, transmitting the wrapping/filling information from the server computer to a wrapping/filling device according to a request from the client computer, and filling a commodity content according to the wrapping/filling information by the wrapping/filling device and wrapping the commodity content by a wrapping vessel according to the wrapping/filling information.

The Official Action appears to take the position that it would have been obvious to combine the Assemblies Unlimited web page with the packaging of Internet orders disclosed by Garwood and the database disclosed by Schmitt, and

that this combination of references corresponds to the wrapping/filling method of originally filed Claim 1.

However, the Assemblies Unlimited web page is simply a web-based price quote request form, and has nothing to do with placing actual orders over the Internet. The Garwood patent, on the other hand, discloses placement of actual orders over the internet, but has nothing to do with sending or receiving price quotes. Applicants respectfully submit that the Official Action relies on impermissible hindsight reasoning in alleging the combination of these references.

Moreover, Claim 1 is amended to recite that the wrapping/filling information includes information corresponding to a web-type wrapping material and a design to be printed on an outward surface of the wrapping vessel, and the wrapping/filling device forms the web-type wrapping material into a tubular shape by molding rolls and a longitudinal sealing device, fills the liquid food content into the tubular-shaped wrapping material by a filling pipe, transversely seals the filled wrapping material by a transversely sealing device, and cuts the sealed filled wrapping material, so as to form a wrapping vessel. It is quite clear that neither Assemblies Unlimited web page, nor the Garwood patent or the Schmitt patent, taken alone or in combination, disclose or suggest the recitations added to amended Claim 1.

Independent Claims 5, 6, 8 and 9 are also allowable for reasons consistent with the above discussion.

The dependent claims are allowable at least by virtue of their dependence from allowable independent claims. Thus, a detailed discussion of the additional distinguishing features recited in the dependent claims is not set forth at this time.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 30, 2008

By: Peter T. deVore  
Matthew L. Schneider  
Registration No. 32814

Peter T. deVore  
Registration No. 60361

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620